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ABSTRACT

Designed to supplement the conventional textbook treatment of Louisiana history, this booklet of primary source material exposes junior high school students not only to history but to the events of those who lived it. Students develop an appreciation for the work and technical skills used in the writing of history and a sensitivity to history as it was lived. This booklet is comprised of five major sections. The first section gives historical background information to familiarize students with the Cane River colony, its history, economy, and life style. The second section examines English translations of documents which record the legal transaction of a marriage contract, family meeting, emancipation authorization, defamation proceeding, and slave sale. For each topic, student questions are included. Next, a glossary of words and phrases, both legal and commonplace, help clarify the translations. A suggested reading list precedes the final section (intended for the teacher), which gives answers to student questions and copies of original 19th century French and English manuscripts. (LH)

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EVIDENCE OF THE PAST:
PRIMARY SOURCES FOR LOUISIANA HISTORY
1. Cane River Colony

Edited by Elsa L. Schneider
Curator of Education

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FOREWORD

The Historic New Orleans Collection, a research center dedicated to the study of Louisiana's history and culture, is part of a private non-profit foundation established in 1966 by General and Mrs. L. Kemper Williams. The purpose of the Collection is to collect, to preserve, and to make available to researchers items related to state and local history.

The Manuscripts Division of the Historic New Orleans Collection contains thousands of linear feet of boxed documents which are indexed and cataloged and available to the public for study. Our rapidly growing collection of manuscripts holdings is in keeping with our commitment to excellence in scholarship and research. Within the Manuscripts Division is a collection of one thousand four hundred notarial documents (MSS 182), written and numbered chronologically by various notaries of the Cane River area in the nineteenth century.

The Education Department, under the direction of Mrs. Elsa Schneider, has selected six of these documents in a new venture to introduce primary source material to the public and private school communities. By drawing upon our documents we hope to nurture in children an interest in their heritage and in the history as it was lived.

—Stanton Frazar

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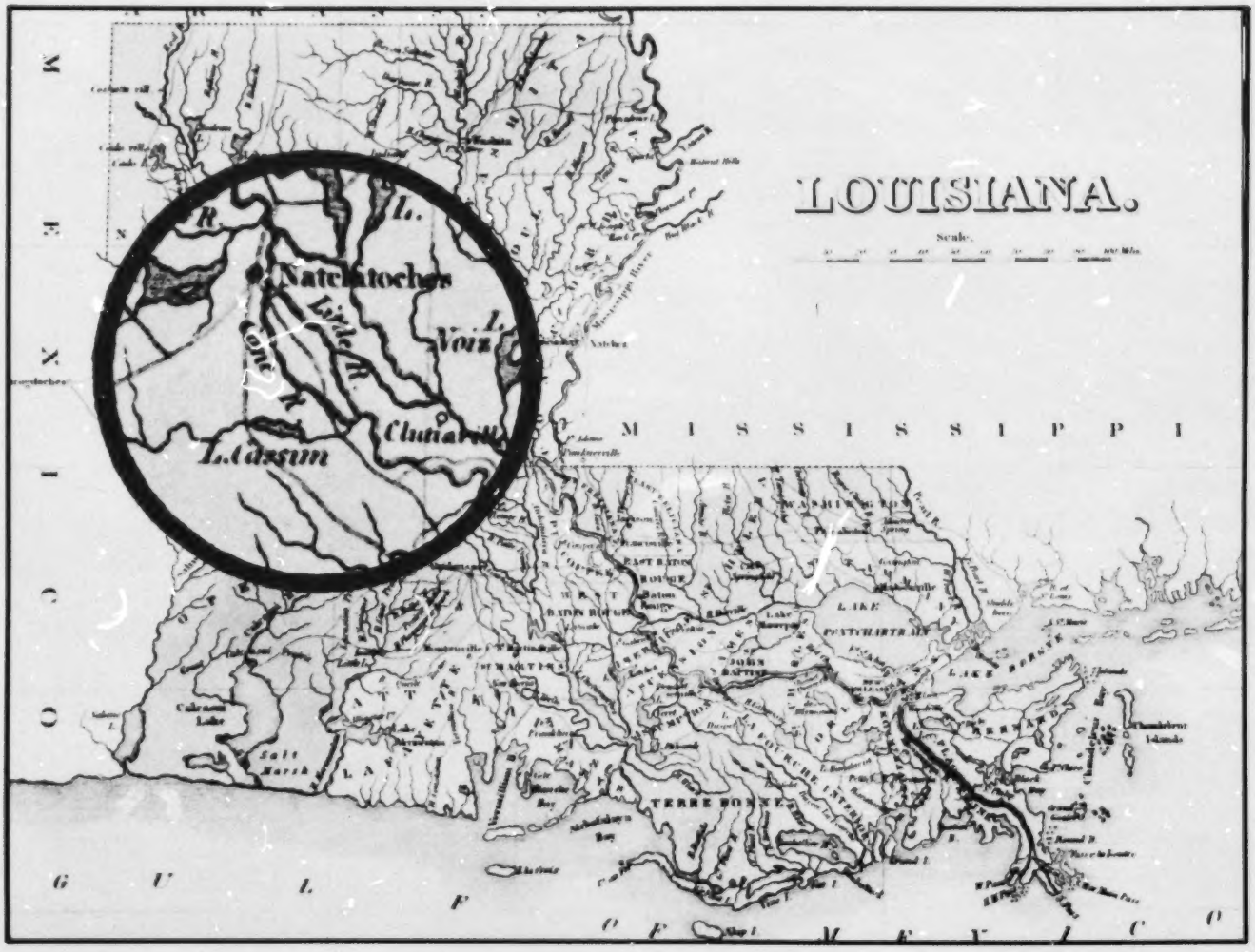

Louisiana, hand-colored engraving published by A. Finley, Philadelphia, 1824. The Historic New Orleans Collection, acc. no. 1959.215.7.

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INTRODUCTION

Have you ever wondered what life might have been like during another time in history? What economic, political, or social options would have been available to you? How you would have felt about various issues that no longer exist in today's world? History books have recorded the facts and figures of our past, but lost in the condensation of facts are the individual events of human experience.

The purpose of this booklet, the first in a series by the Historic New Orleans Collection, is to give students the opportunity to capture a rare glimpse of the life that lies hidden between the lines in the history books. Designed to supplement the conventional textbook treatment of Louisiana history, this booklet of primary source material (notarial documents) will expose the students not only to history, but to the human events of those who lived it. These notarial documents contain errors and spelling variations, and reveal only fragments of nineteenth-century life in Cane River. Therefore, historical detective work will be required of the student. The booklet will lead the student to develop an appreciation for the work and technical skills used in the writing of history and to cultivate a sensitivity to history as it was lived.

The booklet comprises five sections:

1. Historical background
   Information is given to familiarize the student with the Cane River colony, its history, economy, and life style.
2. English translations of notarial documents and suggested questions.
   The notarial documents in this booklet record the legal transaction of a marriage contract, family meeting, manumission, defamation proceeding, and slave sale.
3. Glossary
   The glossary of words and phrases, both legal and commonplace, will help answer questions raised in the reading of the documents.
4. Copies of manuscripts
   Facsimiles of the original nineteenth-century French and English manuscripts are found in the pocket of the booklet.
5. Bibliography
   A bibliography is included for use in further study of free persons of color.

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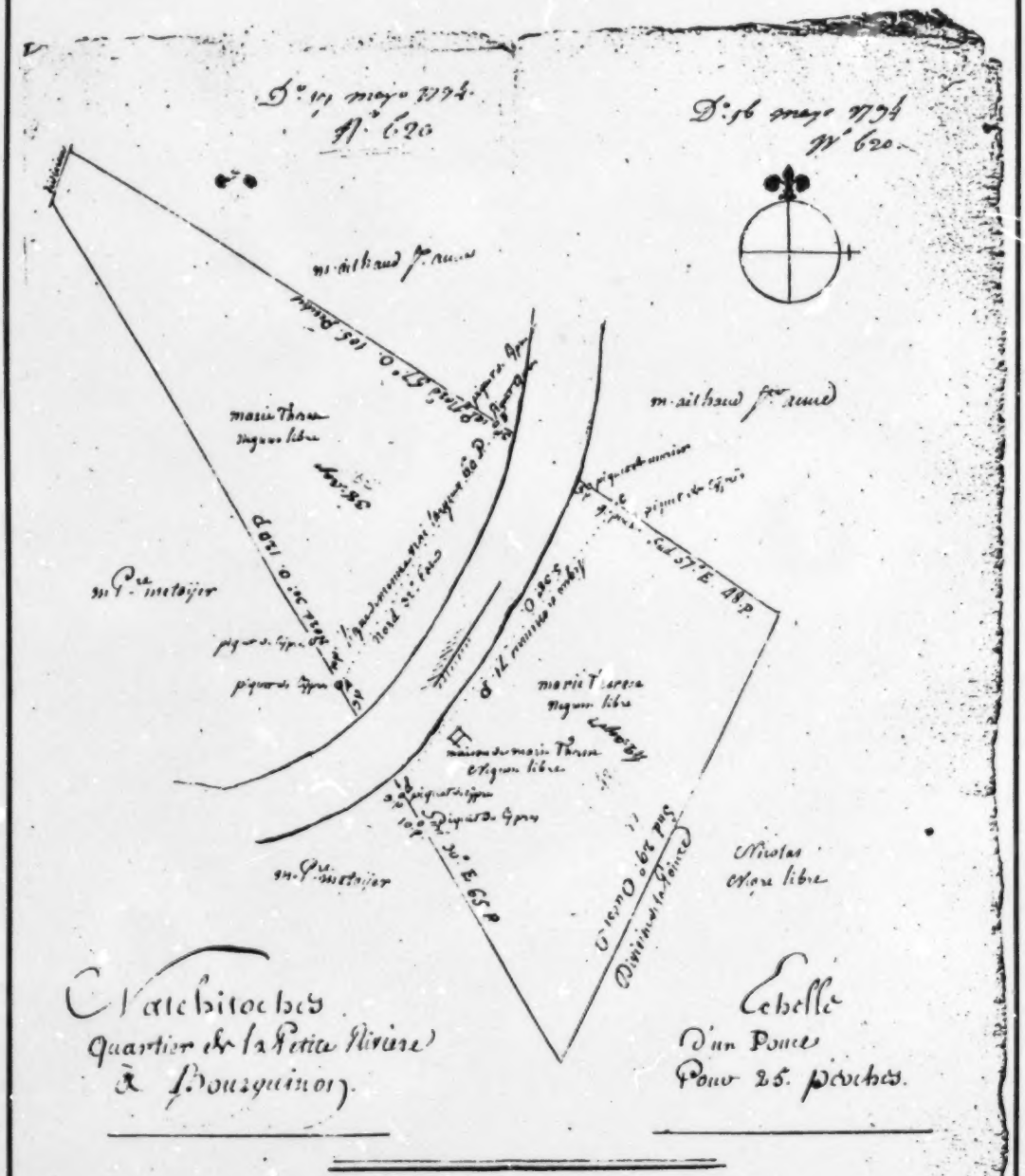

Louisiana land survey, by Pierre Maes, 1794. Courtesy Louisiana State Archives and Records Service.

INSTRUCTIONS

Not many of us are accustomed to reading documents, especially nineteenth-century ones. They look frightening; but reading documents can be exciting and stimulating, and much can be learned from them. Use the following step-by-step directions so that the documents in the booklet become easier to understand and the project more enjoyable.

1. Read the *historical background*.
2. Read the *heading*, which explains the purpose of each notarial document.
3. Familiarize yourself with the list of pertinent *legal definitions* in order to understand the terminology found in nineteenth-century Louisiana documents.
4. Read each *document* SLOWLY and THOROUGHLY.
5. Use the *glossary* on page 11 to clarify unfamiliar legal and commonplace words.
6. Answer the *questions* which follow each document.
7. In the pocket on the last page are reproductions of the original French and English *manuscripts* for you to see.

HISTORICAL BACKGROUND FOR THE FOLLOWING DOCUMENTS

From the mid-1700s to the Civil War, there existed along Cane River near Natchitoches, Louisiana, a self-contained rural family colony which maintained a high degree of affluence and status throughout its existence. An important characteristic of this community was the fact that it was composed of "free persons of color," who were recognized as a distinct ethnic group that enjoyed social, economic, and legal freedom in Louisiana.

The emergence of this colony of racially mixed people can be traced to an alliance between an African slave named Marie Thérèze, known as Coincoin, and a well-to-do Frenchman, Claude Thomas Métoyer. Métoyer eventually arranged for the freedom of Coincoin and their many children, gave her a tract of land, and provided for the family's basic needs with a small sum of cash. Coincoin prospered and extended her land holdings, which she in turn left to her children. Thus began the Métoyer family as the nucleus of the free persons of color along Cane River.

In the early years of the colony, family intermarriage was quite frequent. When new blood ties were sought, strict rules for marriage were followed. Spouses were selected by the family, and all were men and women of part white and/or part Indian ancestry. Some spouses came from the Natchitoches and New Orleans areas, while others were refugees from Haiti or immigrants from France. Strong family relationships existed within the colony. Freed persons strove to purchase the freedom of relatives, family meetings were held to make important decisions, and parents frequently gave wedding gifts of plantation lands and slaves to consolidate the family landholdings and to insure a continuation of the family lifestyle.

In pre-Civil War Louisiana, the free person of color had economic opportunities denied to other free blacks elsewhere in the South. Few limitations were placed upon their livelihood or upon their economic competition with whites. Although some Cane River persons sold produce or engaged in trade, the basic economy of the area was agriculture. The colony was established on land measuring five by thirty miles, which had been a flood plain for two sizeable rivers. The superior quality of the soil led the region to become the richest cotton growing land in Louisiana. Slave labor was used on most Cane River plantations. The average member of the colony owned more slaves than the average white planter of the area, and the Métoyer family owned more slaves than any other free family of color in the nation.

Antebellum Louisiana law allowed for the development of the Cane River colony. The 1825 Louisiana Civil Code provided all free persons of color with special rights and opportunities rarely granted to free blacks in other states. Access to the courts of law was denied to all slaves and free persons of color in most states before the Civil War. However, the Civil Code granted to all free persons in Louisiana the right to bring charges against a white or black and the right to defend oneself in court in civil or criminal matters.

The effects of a nationwide depression and local floods and droughts in the 1840s were the beginning of the economic decline of the colony. The Civil War completed the economic ruin of the Cane River colony along with that of white plantation owners. All planters suffered the loss of slaves, land, and capital. The Reconstruction period, which tried to abolish all legal distinctions between Louisiana's white and non-white residents, was short-lived. It was supplanted in 1877 by the era of "Redemption" from Reconstruction. Thereafter, the legal, economic, and social status of *all* Louisiana non-whites declined, with little or no improvement until the mid-twentieth century.

Cane River families still exist. Some family members remain near Cane River, while those who have migrated still maintain strong ties to the legends and traditions of their ancestors.

Marriage Contract

A marriage contract is a prenuptial agreement between the future spouses. In the nineteenth century, the reasons for entering into a marriage contract were to settle the dowry and to provide for the various donations between the couple. In addition to these provisions, almost anything else could be put into the contract. However, it could not be altered after the marriage.

The following nineteenth-century legal terms are found in the marriage contract between Joseph Métoyer and Marie Lodoiska Llorens. It would be helpful to acquaint yourself with these words and their definitions.

1. Free man or woman of color—a person free from slavery, of African or mixed ancestry. In Louisiana, all free persons of color had full access to the courts of law but could not run for office nor vote.

   At Cane River, virtually all free men or women of color were descendants of a union between a black and a white or Indian person. Under the laws of the state of Louisiana, intermarriage between a white and a free person of color was illegal. In addition, at Cane River, intermarriage between a person of predominantly African ancestry and a free person of color was socially unacceptable and discouraged. Strict rules for selecting spouses were therefore established.
2. Minor—a person under twenty-one years old. A minor must have received the consent of his or her father, mother, or guardian in order to marry. A marriage by a minor without consent gave the parents a legal right to disinherit the child, but it did not affect the validity of the marriage.
3. Community property—property acquired by either spouse during the existence of the marriage except that acquired by inheritance or donation. It was owned jointly by the husband and wife but managed by the husband without the consent of the wife.
4. Separate property—property brought to the marriage by either spouse. It was separate from the community.
5. Slave—a person who was the property of another person. He had no freedom or personal rights and was subject to the will of his master. The owner could place a mortgage on the slave. A slave had no access to the Louisiana courts of law in either civil or criminal matters.
6. Dowry—money or property the wife brought to her husband at the beginning of the marriage. The income from the dowry was to be used to help the husband bear the expenses of the marriage. Although the husband alone administered the dowry, the wife maintained ownership of it and was entitled to have it returned to her at the end of the marriage.

Joseph Métoyer and Marie Lodoiska Llorens--Marriage Contract January 28, 1840 29

State of Louisiana, parish of Natchitoches. Before me, Clément De Laroche, notary public for the parish of Natchitoches, residing and maintaining his office at Cloutierville, appeared, on the one hand, Joseph Métoyer, free man of color, a native of this parish, legitimate son of ( ) Métoyer and of Marie Péiagie Lecour, and, on the other hand, Marie Lodoiska, a free young woman of color, a native of this parish and a minor, legitimate daughter of Emanuel Llorens and Arsenn Anty, duly assisted in the execution of these proceedings by her father, which parties, wishing to be united by the bonds of marriage, which marriage is to be celebrated in a few days, have asked the undersigned notary to make an agreement for their marriage contract. The clauses and stipulations of which are as follows—

First Article

The projected marriage will be subjected to the rules of community property according to the laws of this state.

Second Article

The previous debts of the future groom and the future bride will be settled out of their own separate funds.

Third Article

The assets brought to the marriage by the future groom, for and in consideration of the projected marriage, consist of eight slaves, the names of whom follow—To Wit: Sans Gieou, a negro aged about fifty years—Rollin, a negro aged about thirty years—Rosette, a negress aged forty years—Gustave, a negro aged thirty years—Richard, a negro aged twelve years—Clarice, a negress aged about ten years—Augustine, a negress aged eight years—Sannite, a negress about thirty eight years.

Fourth Article

The goods of the future bride consist of five hundred and seventeen piastres, and one and a quarter sous, coming from her hereditary share of the succession of her mother and her hereditary share of the succession of her grandmother, Suzanne Métoyer, in conformity with the rule of the Court of Records. Trousseau is evaluated at one hundred and fifty piastres. The future groom acknowledges and gives a receipt for the $517.31 piastres in cash. He also acknowledges and gives a receipt for fifty piastres in specie as dowry constituted by the father of the future bride.

Done and passed at the home of the father of the future bride, the twenty-eighth of January, eighteen hundred and forty. The parties have signed this document in the presence of Joseph Augustin Métoyer and of Firmin Christophe. The father of the future bride is signing also.

Witnesses
Jh. Atin. Metoyer
Firmin Christophe

Joseph Métoyer
Lodoiska Llorens
Manuel Llorens

Clement de Laroche
Not. pub.

NOTE: The changes in translation are for ease of reading.

QUESTIONS FOR MARRIAGE CONTRACT

1. For whom was this contract prepared and what was their legal status?
2. When was the marriage contract signed and when was the marriage scheduled to be celebrated?
3. How were the debts of the future bride and groom to be settled and why do you believe that arrangement was made?
4. Article three is a declaration by the future groom of separate property that he is bringing to the marriage. What did the groom bring to the marriage?
5. In 1840, who could own slaves in Louisiana?
6. Article four is a declaration by the future bride of the separate property that she is bringing to the marriage. How much was this property worth and what was the source of the money?
7. Was the trousseau included in the property for which the future groom gave a receipt? Give proof.
8. Who paid the dowry and how much was it?
9. Find the clue that might suggest that the future bride and groom were cousins. Why might family intermarriage be encouraged at Cane River?
10. In addition to the signatures of the future bride and groom and witnesses, the bride's father also signed. Why?
11. Suggested projects:
    a) Compare and contrast the purposes for a marriage contract in the nineteenth and twentieth centuries.
    b) What change has recently occurred in Louisiana community property law?

Family Meeting

A family meeting was assembled when required by law to deliberate in the interest of minors. This advisory meeting was composed of *at least* five members of the family or friends, all of whom were appointed by the judge. The family meeting was held before a notary public or justice of the peace, who was also appointed by the judge.

The following nineteenth-century terms are found in the Family Meeting document #409:

f.d.c.l.—an abbreviation for the French phrase "femme de couleur libre," which is translated as free woman of color.

h.d.c.l.—an abbreviation for the French phrase "homme de couleur libre," which is translated as free man of color.

In the nineteenth century, all notaries and public officers were required to insert the words free man or woman of color or their abbreviations after the names of such persons when passing official acts, such as a public notice or sale of property.

No. 409
August 23rd, 1851
FAMILY MEETING
concerning the minor
children of Dorestan
Métoyer & of Seraphine
Llorens, p.d.c.l.

State of Louisiana, Parish of Natchitoches

Be it known that on this day, in accordance with the petition presented by Marie Seraphine Llorens, free woman of color, wife of Auguste Dorestan Métoyer, h.d.c.l. and in virtue of various court orders addressed to me by the honorable District court sitting in this parish. _____
Were duly called and present before me, the nearest relations of the minor children
To wit: Ernestine, Ernetia and Angelle Métoyer, born of the marriage of the said Seraphine Llorens, with the said Dorestan Métoyer.

These relatives were brought together for the purpose of forming a family meeting in order to deliberate on the question to wit: If in the case that the mother of the said children obtains judgment against her husband in an action for divorce—before the said District Court which is most suitable to decide, in the interest of the said minor children to leave them in the care and custody of their mother or their father. Be it for their maintenance, their education, and for their interests in general, in the said question. In witness whereof the said members were duly sworn and their names signed or sworn as follows: Seraphin Llorens, maternal grandfather of the said minors, Pierre Nerestan Métoyer, paternal uncle, Pierre Métoyer, paternal uncle, Bélisaire Llorens, maternal uncle, Clément Llorens, maternal uncle. And accordingly the said relatives decide as follows:
Seraphin Llorens is of the opinion that the minor children should remain, in view of their young age, and the absence of the father from the parish, in the care of their mother whereas in this instance this mother being in the bosom of her own family and the relatives of the minor children, who will always find the aid and care easier because of their position than if they were in the hands of the Father who in the opinion of the said member is absent and in a position too uncertain to be able, despite good intentions, to make sacrifices, or bring to the children this care or all fitting and useful assistance.

The opinion of Bélisaire Llorens and Clément Llorens were given in the same vein and the same reasons were put forth by them. _____
Pierre Nerestan Métoyer is of the opinion that the said minor children or at least one or two of the eldest, be placed and adjudicated to the charge and care of their father. The reasons of this member are that already for a long time the father has manifested in a special way a great attachment for the children and appreciably witnessed the sincere desire to have them with him in order to be helpful to them in every respect which nature and law lays upon him. And it is certain that the Father of the minor children would neglect nothing possible to him in order to render the lot of the children as pleasant as the situation permits.

Pierre Métoyer also made plain his opinion along the same lines and gave the same reasons.

In witness whereof each member has signed this official report. In the presence of the witnesses these names: Florival Métoyer & Severin (Pierre C.)
The twenty-third day of the month of April of the year of our Lord 1851. The 76th year of the Independence of the United States of America.
In witness whereof again I the notary have signed after reading in my office in the town of Cloutierville.
Note: words added in the margin approved.

Witnesses
F. Florival Métoyer
Pierre C. Severin

S. Llorens
Ntan. Pre. Métoyer
Pre. Métoyer
B. Llorens
L. Llorains

Before Me
Chs. Sers
Not. Pub.

NOTE: Translation from nineteenth-century French document.

QUESTIONS FOR FAMILY MEETING

1. Why was the family meeting held?
2. Who were the individuals who participated in the meeting and what were their decisions?
3. Was any conclusion reached?
4. Do you think that the stated reasons are the only ones that affected the family members' decision?
5. Do you think a judge could influence the opinion of a family meeting?
6. Suggested project: Compare nineteenth- and twentieth-century custody procedures.

Emancipation Authorization

Emancipation was the act of freeing a person from slavery. The document labeled Emancipation Authorization was one step in a defined procedure for emancipation in nineteenth-century Louisiana. The procedure was as follows:

A. Requirements of the slave
   1. The slave must have reached thirty years of age.
   2. The slave must have been an honest person, not run away, and not been guilty of criminal misdemeanor during the preceding four years.

B. Procedure for the master and public official
   1. The master must have made a declaration of his intentions to emancipate his slave to the judge of the parish in which the master resided.
   2. If the slave was under the legal age for emancipation, then one had to apply to the Louisiana legislature for a special law to overrule the age requirement.
   3. The judge must have ordered a notice of the intended emancipation to be posted in both French and English on the courthouse door for forty days.
   4. If after forty days the posted advertisement brought no opposition, then the judge authorized the master to pass the act of emancipation.
   5. The master freed the slave by an act of enfranchisement.

EMANCIPATION AUTHORIZATION

Parish of Nachitoches State of Louisiana
April 30, 1825

It appearing by copy of an act of the Legislature of this State, certified by P. Derbigny, Secretary of State, under the Seal of Said State, dated the 26th of January 1825, and which herewith filed, that the petitioner Marie Louise LeCompte, Widow Porter, was authorized to Emancipate Louis Monet her slave, aged about twenty two years; and the petitioners demand having been duly advertised according to Law, as appears by the Sheriff's return herewith filed and no opposition having been made thereto, It is ordered that the said petitioner be and she is hereby authorized to Emancipate the said Louis Monet, as prayed for. (Signed) John C. Parr parish Judge of the parish of Nachitoches. ——————

I Certify that the above is a true Copy of the original order on file in my office.
Given under my hand & seal of office parish Judge of the parish of Nachitoches this 30th day of April A.D. 1825

John C. Parr
parish Judge of the parish of Nachitoches

Note: Copy of document written in English.

QUESTIONS FOR EMANCIPATION AUTHORIZATION

1. In this document who was authorized to emancipate a slave?
2. Why was an act of the legislature a necessary prerequisite to the emancipation of Louis Monet?
3. Why do you believe the law required the owner to advertise an intention to free a slave?

Enfranchisement of a Slave

The final step in the emancipation of a slave was the act of enfranchisement. When this document was signed the one-time slave became a free man with all the rights and privileges given to free people of color in the state of Louisiana.

MARIE LOUISE
LECOMTE
WIDOW PORTER
TO
Ls. *MONETTE h.d.c.*
MAY 2nd 1825
N. 154

Today, the second of the month of May of the year of our Lord eighteen hundred and twenty-five and the forty-ninth year of the independence of the United States: Appeared before me, jean pierre marie Dubois, notary public in the parish of Natchitoches, madame marie louise Lecomte, widow porter of this parish, requesting an act of liberty for her slave, named louis monette, aged twenty two years, by virtue of an authorization of the honorable J.C. Carr, judge of the parish of Natchitoches, dated the thirtieth of the month of April of the year eighteen hundred and twenty five. Since all the formalities required by the law for enfranchisement of said slave have been fulfilled according to an act of the honorable legislature of this state, certified by pre Derbigni, Secretary of State, under the seal of said state dated the twenty-sixth of January of the year eighteen hundred and twenty-five, authorizing the petitioner, madame marie louise Lecomte widow porter, to have said slave, named louis monette, enfranchised, in consequence, let it be known that before me, a notary, and the undersigned witnesses, madame marie louise Lecomte widow porter, hereby enfranchises said slave, named louis monette, and that she renounces all the rights and claims on him so that he may be able to enjoy and may enjoy, from this moment, all the rights and privileges accorded by the law to free persons of color. Done and passed at Cane River, parish of Natchitoches, the day and year mentioned above, at the home of madame marie louise Lecomte widow porter, where I, a notary have been transported at her request. In witness where of, after a reading, madame marie louise Lecomte, widow porter has signed her customary mark, having declared that she cannot sign, in the presence of myself, a notary public, and the undersigned witnesses.

Witnesses
Bte Cloutier
Bte Lecomte

Marie louise Lecomte
her
widow x porter
mark

I the notary certify this document signed in my presence and delivered under my signature and seal today the 2nd of May A.D. 1825.

Jn Pre Dubois
notary public

Note: Translation from 19th century French document.

QUESTIONS FOR ENFRANCHISEMENT OF A SLAVE

1. There are three dates mentioned in this document. Can you explain them?
2. Was any money exchanged?
3. Explain what this document meant to Louis Monette.
4. Did Marie Lecomte sign her name to the document? If not, how did she authenticate it?
5. At the top of the document, note the initials after Ls. Monette's name. Do you think the notary forgot to include the initial "l" (representing the word "libre", meaning free), or was it purposely omitted?
6. Note the spelling of the young man's name in the documents relating to emancipation authorization and enfranchisement of a slave. What implications would this have in the reading of manuscripts and the writing of history? Have you found other spelling variations in any of the documents?
7. Suggested projects:
   a) Compare and contrast the rights of free persons of color with free white persons in early nineteenth-century Louisiana.
   b) Compare and contrast the rights of free persons of color in early nineteenth-century Louisiana with the rights of free persons of color in other slave states during the nineteenth century.

Defamation Proceeding

Defamation is the act of bringing disgrace or dishonor intentionally to someone, either by the written or spoken word. The following proceedings were called to discuss the actions and their justifications.

2. july 1825
alexis cloutier
vs.
Louis monette & celestin
rachal for defamation
Act and proof

Today, the second of the month of july of the year of our Lord eighteen hundred and twenty-five and the forty-ninth year of the independence of the united States. Before me, jean pierre marie Dubois, justice of the peace in the parish of natchitoches, monsieur alexis cloutier of this parish having brought to me a complaint against messieurs celestine rachal and louis monette for defamatory remarks about his, alexis cloutier's character which came to his knowledge, after having heard the excuses and justifications of messieurs celestin rachal and louis monette, has requested that their oath be taken concerning their justifications. messieurs celestin rachal and louis monette, by their own consent and their request, have been sworn in by myself, the justice of the peace, and they have declared as follows: that they never intended to accuse monsieur alexis cloutier of being a rogue, which is far from being their opinion, nor have they ever held him to be anything but an honest man; that it was only in an interchange with the man named Augustin M/L. while gambling, that they made the remarks in order to win a colt, that the said mulatto wished to bet them that they would not say to monsieur alexis cloutier that he was a rogue: that having made the bet, their intention was to speak with monsieur alexis cloutier beforehand, so that he would not become angry and would allow them to win the colt; that louis monette himself said to the mulatto that he would make the bet on condition that he would be permitted to speak with monsieur alexis cloutier before telling him that he was a rogue. monsieur alexis cloutier, here present has declared to me that he is satisfied and I, the justice of the peace have closed the present action. Done and passed in the parish of natchitoches, at the domicile of monsieur alexis cloutier. In witness whereof, the parties have signed with their customary mark, having declared that they cannot sign.

witnesses

Jn. Bte. Lattier
Th. Lattier

his
Celestin X rachal
mark

his
Louis X monette
mark

his
Alexis X cloutier
mark

Note: Translation from nineteenth-century document.

QUESTIONS FOR DEFAMATION PROCEEDING

1. Of what was Louis Monette accused, and what decision was finally made?
2. How soon after Louis Monette became a free man was he sued?
3. Why did the justice of the peace refer to Louis Monette and his friend with the title *Messieurs*?
4. Had Monette been accused of defamation in March 1825, would this testimony have been taken? Why or why not?

Slave Sale

In nineteenth-century Louisiana, slaves were property of their master and therefore were sold as any other piece of property would be sold. The following document, signed by a notary and numbered 725, was a slave sale transaction.

François Gaienié
to
Louis
Monette
free man of color

Sale of a negress
for her liberty
No 725
Cane River
the 23rd of March
1835

State of Louisiana—parish of Natchitoches

Today, the twenty third of the month of March, of the year of Our Lord eighteen hundred and thirty five and the fifty ninth year of the Independence of the United States: Before Clément deLaroche, the undersigned notary public duly commissioned and sworn for and in the parish of Natchitoches, State of Louisiana, residing at the place called Cane River in the same parish, and keeping his office there; has appeared in person, Mr. François Gaiennié, domiciled in the parish of Natchitoches, who has declared and who hereby declares, in the presence of Jean-Pierre Cloutier and of Joseph Martineau—competent witnesses, domiciled and undersigned that he has sold and that he does sell, cede, quit, transport and hand over, from this moment, for and in consideration of the sum here-after stipulated, with guarantee of all troubles, debts, mortgages, and all other hindrances of any kind whatsoever; to Louis Monette, free man of color, domiciled in the parish of Natchitoches, here present and accepting; a negress named Marie Louise, aged about fifty years, his mother, whom he, the said Louis Monette, is buying, hereby promising for himself, his heirs or assigns, that he will free her in accordance with the laws of this State.—The present sale is hereby passed for and in consideration of a sum of nine hundred and six piastres and ninety seven sous, of which two hundred and seventy five piastres and fifty eight and a third sous will be payable during the course of April, eighteen hundred and thirty five, three hundred piastres and sixty six and a third sous will be payable during the course of March, eighteen hundred and thirty six, and three hundred and (thirty) piastres and seventy two and a third sous will be payable during the course of March, eighteen hundred and thirty seven, and all of this in three binding obligations by Louis Monnette and Jean Baptiste Louis Métoyer to the order of François Gaien ( ) In witness whereof, and after the obligatory reading of this document to the parties concerned by the undersigned notary, aloud, Mr. François Gaienie has affixed his signature to this document and Louis Monnette, having declared that he cannot sign otherwise, has made his customary mark in the form of a cross. All of which has taken place on the day, month, and year as in the title, at the home of Mr. Alexis Cloutier. This act has taken place in the presence of the undersigned witnesses.

Witnesses
Jn. Pierre Cloutier
Jn. Martineau

Fcois Gaiennié
his
Louis X Monnette
mark

Before me:
Clément de Laroche
Notary public

Note: Translation from nineteenth-century French document.

QUESTIONS FOR SLAVE SALE

1. How much time had elapsed between Louis Monette's emancipation and his purchase of a slave? How old was Monette at the time he purchased the slave?
2. What was the slave's name, why did Monette buy her, and what did he promise to do?
3. What aspects of this document indicate that slaves were items of property, such as land or a car today?
4. How many years would it take Monette to clear his debt with Gaienié?
5. Jean Baptiste Métoyer and Louis Monette were obligated to make three payments for the purchase of Marie Louise, but, Métoyer did not receive part ownership of the slave. What do you think was Métoyer's role in this transaction?
6. What was the cost of the slave in dollars and cents? Use the glossary for conversion of piastres and sous.
7. At what location were the Slave Sale and Defamation Proceeding signed?
8. From these documents, what have you learned about Louis Monette's character? Discuss.

GLOSSARY

accordance – conformity
act of legislature – a statute or law
adjudicated – judicially decreed
affixed – fastened
assets – property
assigns – someone to whom a transfer of property (e.g. slave) has been made
authorize – to give legal or formal responsibility to a person to do something
cede – transfer
certified – made certain; attested by a certificate
commissioned – assigned to a special task or function; duly authorized
competent – legally qualified in mental and physical makeup
complaint – formal accusation or charge
conformity – compliance
consent – voluntary agreement
constituted – established; set up
contract – binding agreement between two or more persons
convoke – to call together
custody – guardianship
debts – that which is owed or due
defamation – act by which one intentionally harms the reputation of another
deliberate – to consider or think about
domicile – place of residence; a house or home
duly – properly
emancipate – to set free from slavery
enfranchisement – releasing from slavery
f.d.c.l. – abbreviation for French phrase *femme de couleur libre*, which is translated as free woman of color (see also h.d.c.l.)
formalities – procedures that are required in legal or social matters
guarantee – assurance or legally binding promise
h.d.c.l. – abbreviation for French phrase *homme de couleur libre*, which is translated as free man of color (see also f.d.c.l.)
hereditary – descending by inheritance
hindrance – obstruction
in virtue of – with the authority of
justice of the peace – local magistrate empowered to administer justice in minor cases, to administer oaths, and to perform marriages
justification – reason
legitimate – child born of a couple lawfully married
lot – number of associated persons
manifested – showed or displayed
marriage contract – prenuptial agreement between the future spouses
maternal – pertaining to the mother's side of the family
messieurs – the plural of monsieur
minor – person under the legal age of twenty-one years
monsieur – French word equivalent to the English word "mister"
mortgage – legal device by which the owner of property uses that property as security for a debt. If the debt is not paid, the creditor can have the mortgaged property sold so that funds obtained from the sale can be used to pay off the debt.
mulatto – offspring of a white and a Negro
negress – female Negro
notary public – public officer who certifies writings to make them authentic
oath – formal appeal to God as a witness to the truth of a statement
obligation – duty
paternal – pertaining to the father's side of the family
petitioner – someone who makes a formal written request or demand to a court
piastre – paper money equal to and used interchangeably with the dollar; piastres were issued by the New Orleans Citizen's Bank of Louisiana in the early nineteenth century.
renounce – to give up
rogue – dishonest, unprincipled person
seal – symbol used to identify or replace the signature of an individual or organization; to give authenticity
sou – French coin; five centime piece. In the 1830s, a sou was equal to approximately one half cent
specie – money in coin
stipulations – facts or conditions mutually agreed upon by the parties
succession – act or process by which a person becomes entitled to the property of a deceased person
sworn – bound by oath
testimony – solemn declaration under oath in response to questions by a lawyer or authorized official
to wit – that is to say; namely
trousseau – personal possessions of a bride, usually including clothes, accessories, and household linens and wares
witness – one who is present at a transaction in order to furnish proof that it has taken place

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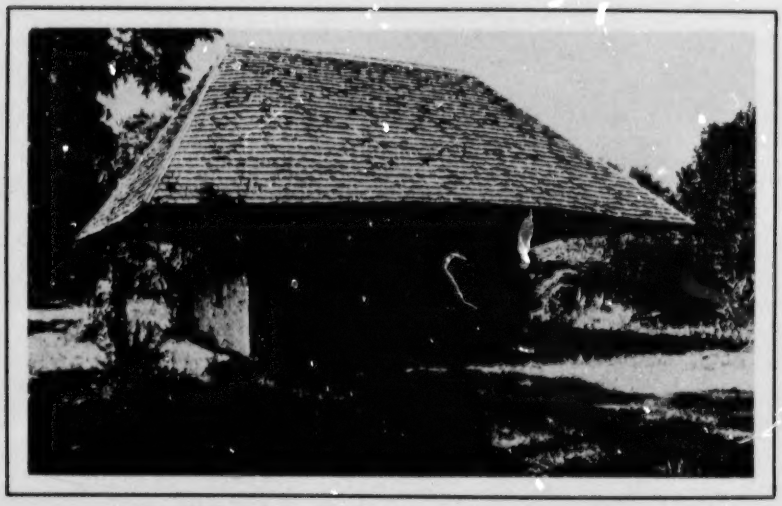

EVIDENCE OF THE PAST:
PRIMARY SOURCES FOR LOUISIANA HISTORY

1. Cane River Colony

FOR THE TEACHER

The Cane River Booklet was designed to supplement your traditional methods of teaching. Please familiarize yourself with the contents of the booklet, as it can be used in a variety of curricula, such as Louisiana history, United States history, United States and Louisiana law, and Black studies.

Note:

The Marriage Contract and Family Meeting documents can be studied independently of the entire group of manuscripts. However, the remaining documents should be *read in consecutive order* as they all relate chronologically to one person.

Answers to the questions following each document:

Answers to *Marriage Contract*

1. Joseph Métoyer and Marie Lodoiska Llorens. They were free persons of color.
2. The marriage contract was signed January 28, 1840, and the marriage was scheduled to be celebrated a few days later.
3. The debts of the future bride and groom were to be settled out of their own separate funds so that their marriage would begin without placing a financial burden on the other party.
4. Eight slaves.
5. All free persons.
6. The property was worth $517.31 and came from the successions of the future bride's mother and grandmother.
7. The value of the trousseau, personal possessions of the bride, was not included in the receipt. The future groom gave a receipt for only $517.31 in cash and $50.00 in specie.
8. The father of the future bride gave $50.00 in coin as dowry.
9. The last name of both the future husband and the future bride's grandmother was Métoyer. Marriages between free persons of color and white persons were illegal in the state of Louisiana, and marriages between free persons of color and persons of more pronounced African ancestry were frowned upon in Cane River society. Therefore the availability of eligible spouses was limited and intermarriage was encouraged. In addition, intermarriage would increase land holdings among family members and increase family wealth.
10. The future bride was a minor. By signing the contract the father gave his consent to the marriage.

Answers to *Family Meeting*

1. To give family members an opportunity to express an opinion on the custody of the

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children. Note: This was an action which was taken prior to the divorce.

2. The individuals who participated in the meeting were three members of the maternal side of the family, the grandfather and two uncles, and two members of the paternal side of the family, the uncles. Each side was partial to its own family.
3. No. This was just an advisory meeting for the district court.
4. Each person in the family meeting probably responded out of loyalty to his own family member.
5. Yes. He could do so by appointing more maternal or more paternal participants to the family meeting.

Answers to *Emancipation Authorization*

1. Marie Louise LeCompte.
2. In order to waive the age requirement of thirty years, an act of the legislature was needed for emancipation.
3. If the slave had been mortgaged, the advertisement would enable the mortgagee to oppose the emancipation.

Answers to *Enfranchisement of a Slave*

1. May 2, 1825—date of document to free Louis Monette.
   April 30, 1825—date of judge's authorization to emancipate Louis Monette.
   January 26, 1825—date of the act of the legislature.
2. No.
3. He was now a free man able to enjoy all the rights and privileges granted by the state of Louisiana to free persons of color.
4. No. She declared that she could not write and signed the document with an "X."
5. Open for discussion.
6. In the nineteenth century, standardization of spelling was not common. In addition, documents were handwritten and subject to errors which were perpetuated in history.
   Spelling inconsistencies:
   Nachitoches—found in Emancipation Authorization.
   Lecomte—found in Enfranchisement.
   Lecompte—found in Emancipation Authorization.
   Derbigny—found in Emancipation Authorization.
   Derbigni—found in Enfranchisement.
   Gaienié and Gaienné--found in Slave Sale.

Answers to *Defamation Proceeding*

1. Defamation. The charges were dropped.
2. Two months.
3. They were free men.
4. No. In March, 1825, Louis Monette was a slave and had no access to the courts of law. According to the 1825 Civil Code of Louisiana, a slave could not be a witness, could not bring charges against another person, and could not defend himself in court.

Answers to *Slave Sale*

1. Ten years. Louis Monette was thirty-two years old.
2. Marie Louise was the name of the slave; she was his mother; and he promised to free her from slavery.
3. A price was paid for the slave; warranties were stipulated by the seller; and the transaction was signed by the seller, buyer, and notary public who authenticated the action in the presence of witnesses.
4. Two years.
5. Métoyer helped Monette obtain this sale by guaranteeing the payment of the debt if Monette defaulted. Today, we would refer to Métoyer as the surety or co-signer.
6. Approximately $906.49.
7. At the home of Mr. Cloutier.
8. Discussion.

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Etat de la Louisiane, paroisse des Natchitoches.

Pardevant Clement de Lamothe notaire public pour la paroisse des Natchitoches, soussigné et de la nation et etude de Cloutierville, Furent présents d'une part Joseph Métoyer homme de couleur libre, natif de cette paroisse, fils legitime de Pierre Métoyer et de Marie Thérèse Lecoffre, et de autre part Marie Ladoiska demoiselle de couleur libre, native de cette paroisse mineure, fille legitime de Samuel Lorenston et de Suzanne Anty, dument assistée de l'effet des presentes par son père, a quelles parties ont declaré vouloir contracter mariage, lequel mariage dont la celebration a été differée jusqu'a ce jourd'hui requiert le notaire soussigné de prendre acte de leur contrat de

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mariage dont les clauses et stipulations suivent.

Article Premier.

Le mariage projeté sera soumis au regime de la communauté conformément aux lois de cet Etat.

Article Second

Les dettes antérieures et futures de la future ne deviendront acquittées par celui des fonds particuliers.

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Article Troisième

Les apports du futur pour sa dite considération du mariage projeté consistent en huit esclaves dont les noms suivent savoir Sandgie negre âgé d'environ cinquante ans Rollin negre âgé trente ans Rolette negresse âgée trente ans Gustave negre âgé 37 ans Richard negre âgé

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de Soixante ans - Clarice - negresse âgée de Cinquante ans - Augustine - negresse âgée de huit ans - Sinaite - negresse âgée de trente huit ans -

(Article quatrième)

Les biens de la future épouse consistent - En cinq cent dix dollars prestations - en Actions et en Numéraire provenant de sa part héréditaire dans la succession de son père Luzan Métoyer en conformité au règlement de la Cour des Successions. Formant ensemble cinq cent cinquante dollars. La future consent à avantager les futurs époux de cinq cent dollars dont quittance -

Fait et passé - dans le Presbytère de la Paroisse St Augustin le dix huit Octobre mil huit cent quarante - Les parties et témoins ont signé avec nous après lecture faite - En présence de Mr Augustin Métoyer et de Firmin Christophe - Le père de la future signant

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custe.

Jacque Legende un mulatre [illegible] mulatresse marque [illegible] agée d'environ [illegible] ans

#. cinquante piastres en espèces. 0

en mineur afforme.

0 comme [illegible] constituée par le père de la mineure.

de mineur afforme.

Le maire

Jh. Sl. Mtoya

Firmin Flores Topete

Joseph Mtoya

Ladislas La Llorens

Manuel Llorens

Lemonnier Lavecka

Notaire

Joseph L. Mtoya

Ladislas La Llorens

Manuel Llorens

Firmin Flores Topete

Lemonnier Lavecka

Notaire

25 Janvier

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No 409.

23. aout 1851.

Assemblée de famille concernant les mineurs de Destan Heloyse & de Seraphine Llorens. p. d. e. l.

Original

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V.

Etat De la Louisiane, Paroisse des Natchitoches

Qu'il soit connu que ce jour, conformément à la petition présentée par Marie Seraphine Llorens femme de en communauté d'avec Auguste Dorestan Metoyer h. de c. de cette paroisse et en vertu des deux ordres de cour à moi adressés par l'honorable cour de district séant en cette paroisse. —

Furent dûment convoqués et notaires présents par devant moi, les plus publics proches parens des enfans mineurs en cette Louis Erneste Ernestine & Angelle Metoyer, nés du mariage de la dite Seraphine Llorens, avec le dit Dorestan Metoyer.

Ces parens furent réunis dans le but de former une assemblée de famille pour deliberer sur la question de savoir si au cas que la mère des dits enfans obtint un jugement contre leur mari dans une demande en divorce devant la dite cour de district cette cour ordonnerait le mieux de decider, dans l'intérêt des dits mineurs de les laisser aux soins & charges de leur dite mère ou de leur père. Soit pour leur entretien leur éducation, et généralement pour leurs intérêts dans la dite question En foi de quoi les dits membres furent dûment assermentés et leurs noms signés au serment avec la susdite Seraphine Llorens

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grand père maternel des dits mineurs Pierre Narcisse Métoyer. Oncle paternel Pierre Métoyer Oncle paternel — Belizaire Llorens. Oncle maternel. & Clement Llorens Oncle maternel. Et en conséquence les dits parens delibérants, comme Delaphin Llorens est d'avis que les mineurs devraient rester, vu leur jeune âge, et l'absence du père de cette famille, sous la tutelle de leur mère, attendu que dans ce cas cette mère étant au sein de sa propre famille et des parents des mineurs, ceux ci trouveront toujours plus facilement de secours & les moyens dûs à leur position que s'ils étaient entre les mains du Père qui dans l'opinion du dit membre ne trouve absent et dans une position trop incertaine pour pouvoir malgré les bonnes dispositions faire les sacrifices, ou porter à ses enfans les soins et tous les secours convenables & utiles.

L'avis de Bélizaire Llorens et celui de Clément Llorens ont été donné dans le même sens et les mêmes raisons ont été exposées par eux. ——

Pierre Narcisse Métoyer a été d'avis, que les dits mineurs ou au moins Un ou deux d'entr'eux, et ce suivant leur inclination, et adjugés aux par les plus âgés. Les raisons de ce membre sont que depuis long-temps déjà le père a manifesté d'une manière particulière Un grand attachement pour les enfans

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et a temoigné sans blesser le secret de les avoir avec lui afin de pouvoir leur être utile dans tous les rapports que la nature et la loi lui imposent. Et il est certain que le père des mineurs ne négligera rien de ce qui lui sera possible pour remplir le vœu de ses enfants autant que la position pourra le permettre.

Pierre Metoyer à manifesté son avis d'après le même conseil et établi les mêmes raisons.

En foi de quoi chacun membre a signé ce procès verbal. En présence des témoins soussignés Florival Metoyer & Pierre (Pierre C) Metoyer. Le Vingt deuxième jour du mois d'Août de l'an de notre Seigneur Mil. huit cent cinquante. Et un l'an 76me de l'Independance des Etats Unis d'amérique. En foi de quoi avons nous notaire ci dessus et après lecture à eux faite en présence de Clouet et Lebreton témoins requis et soussignés avec nous notaire. Approuvé un mot en marge. à joindre approuvé.

Témoins:

F. Florival Metoyer

Pierre C. Metoyer

Par devant moi

J. Moreau

N. Pub

Pierre Metoyer

B. Moreau

Notaire Public

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Parish of Natchitoches State of Louisiana
Aprie 30th 1825

It appearing by a copy of an act of the Legislature of this State, Certified by P. Derbigny Secretary of State, under the Seal of said State, dated the 26th January 1825, and which is herewith filed, that the petitioner Marie Louise Lecompte Widow Porter, was authorized to Emancipate Louis Monet her Slave, aged about twenty two years, and the petitioners demand having been duly advertised according to Law, as appears by the Sheriffs return herewith filed, and no opposition having been made thereto, It is ordered that the said petitioner be and she is hereby authorized to Emancipate the said Louis Monet, as prayed for. (Sign'd) Lombapar parish Judge of the parish of Natchitoches.

I Certify that the above is a true copy of the original order in file in my office

Given under my hand & Seal of office, parish Judge of the parish of Natchitoches this 30th day of Aprie A.D. 1825

Lombapar
Parish Judge of the parish of Natchitoches

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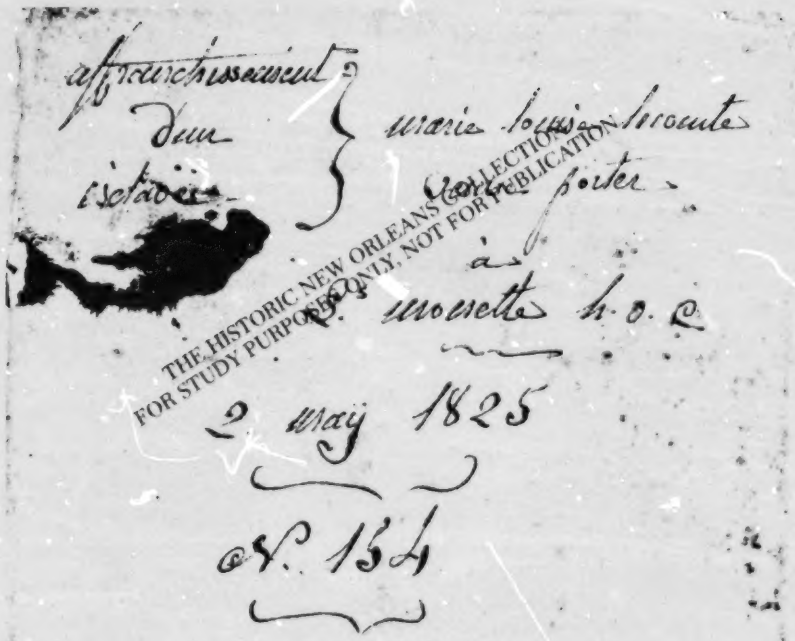

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Etat de la Louisiane
paroisse des Natchitoches
No. 154

Cejourd'hui Deux du mois de Mars de l'année de notre Seigneur mille huit cent vingt cinq & de l'Indépendance des Etats unis la quarante neuvième année, par devant moi Jean Pierre Marie Dubois notaire public dans la paroisse des natchitoches fut présente madame marie louise Lecomte veuve porter de cette paroisse une demandant à passer l'acte de liberté de son esclave nommée louis nouvelle agé de vingt deux ans, en vertu d'une authorisation de l'honorable J. C. Carr juge de la paroisse des natchitoches en date du vingt huit du mois de mars de l'année mille huit cent vingt cinq portant que toutes les formalités requises par la loi pour l'affranchissement du dit esclave soit été remplis par suite d'une acte de l'honorable législature de cet Etat rendue par Pre Derbigné Secretaire de l'Etat sous le Sceau du dit Etat date du vingt Six janvier de l'année mille huit cent vingt cinq authorisant la petitionnaire madame marie louise lecomte veuve porter à faire affranchir le dit esclave nommée louis nouvelle En conséquence qu'il soit connu que par devant moi notaire & les temoins soupignés madame marie louise lecomte veuve porter par les presentes affranchit le dit esclave nommée louis nouvelle, qu'elle renonce à tous les droits & prétentions sur lui pour qu'il puisse jouir & jouisse dorénavant de tous les droits & privil[illegible] par la loi aux personnes de couleur [illegible] fait & passé à la ville aux Cannes [illegible] des Natchitoches le jour & an susmentionné

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au Domicille de madame marie louise lecomte veuve
porter ou mis notaire ait Sus transporté à Sa
requisitions, En foi de quoi après lecture faite
madame marie louise lecomte veuve porter
a Signé de Sa marque ordinaire ayant
declaré ne Savoir Signer en présence de mis
notaire public & des temoins Soussignés
Temoins

Sa
Marie louise lecomte
veuve + porter
marque

J.B. Chevalier

Wm Lecomte

Je certifie avoir fait collection Sa Présente Signée
en ma présence & Délivrée Sous ma Signature
& Scean Le jourd'hui 2 du mois de May 1821

J.B. Duclos
notaire public

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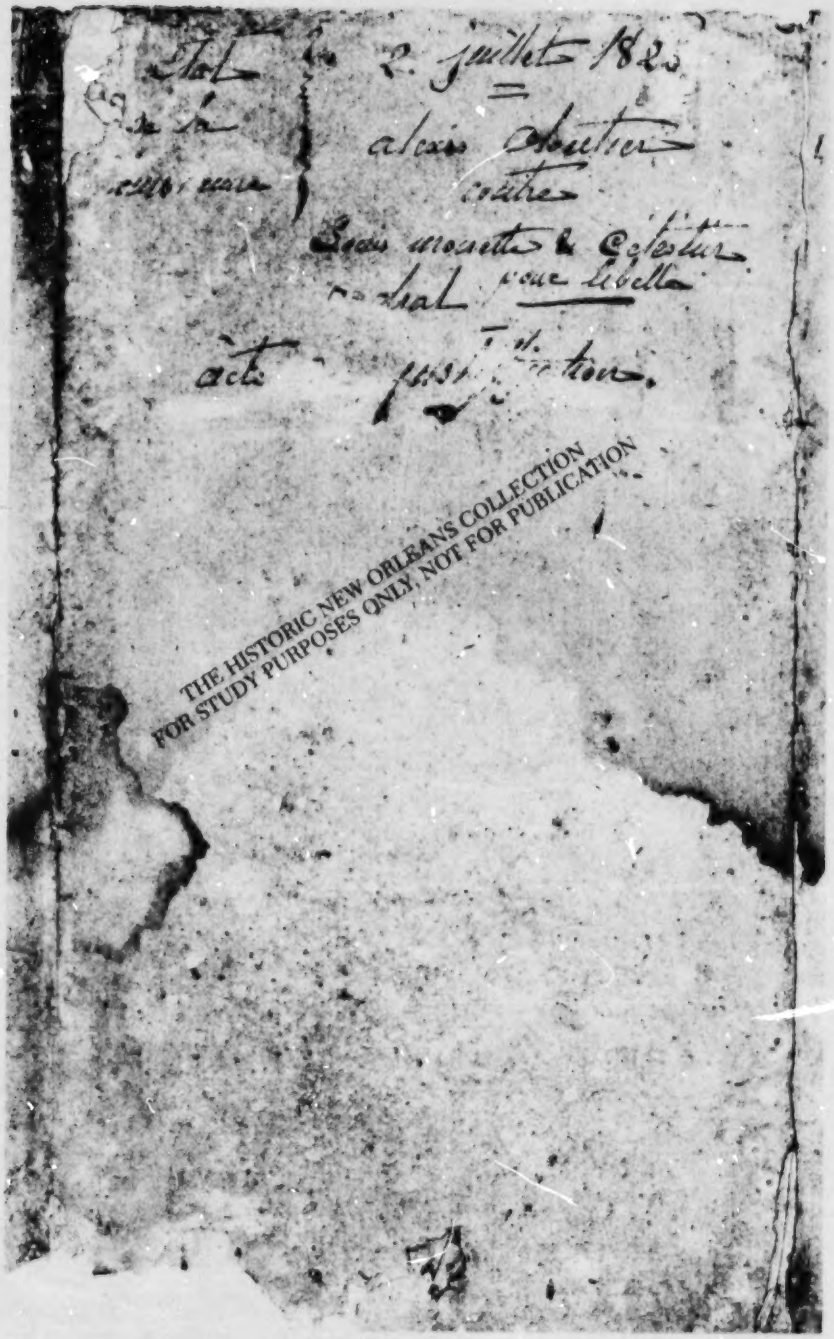

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Etat de la Louisiane — paroisse des Natchitoches

Aujourd'hui trois Jour du mois de juillet de l'année de notre Seigneur mille sept cent soixante cinq & de l'Indépendance des Etats unis la quarante neuvième année. Moi Jean Pierre Aubois juge de paix dans la paroisse des Natchitoches, monsieur Alexis Chauvin de cette paroisse m'ayant fait une plainte contre Mr. Sterling radial & tous ensemble pour propos diffamatoire sur le caractère de lui Alexis Chauvin qui étaient venus à sa rencontre monsieur Alexis Chauvin d'après les ordres de j'ai officiers de messieurs celestin radial & tous ensemble m'ayant demandé à [illegible] Jour Samedi vingt de tous jes huissiers. Messieurs celestin radial & tous ensemble de leur consentement & à leur demande moi juge de paix les ai assemblés & ils ont déclaré ce qui suit que leur intention n'avait jamais été de traiter monsieur Alexis Chauvin de rogue, coquin et tous les jours de leur vie. N'ayant toujours connu que pour un honnête homme, que la mauvaise querelle qu'ils ont eu avec le nommé [illegible] qu'ils tenant à grosse pour quadrer une boutique que le dit Chauvin voulant faire qu'ils ne le devaient pas à monsieur Alexis Chauvin qu'il était une rogue, qu'après avoir payé leur autorisation étant d'une partie à monsieur Alexis Chauvin avant pobe qu'il ne leur fasse pas de tous coups quelque procès, coquin, fripon, mauvais dit lui même une mutache qu'il faisait lui quelque aux conditions qu'il voulait bien à monsieur Alexis Chauvin avant de lui faire

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qui l'a etait sur requis. Monsieur Alexis Chantier ici
présent et acceptant. Devant être fait mention
de justice de foi ci dessus le présent fait de
passé dans la paroisse des Natchitoches au domicile
de Monsieur Alexis Chantier en foi de quoi les
parties ont signé de leurs marques ordinaires et nous
Déclaré ne savoir signer

Témoins

Jean Bte Lattier

Jh. Lattier

Celestin Le Vachal
marque

Louis Le Moriet
marque

Alexis Chantier - acceptant.

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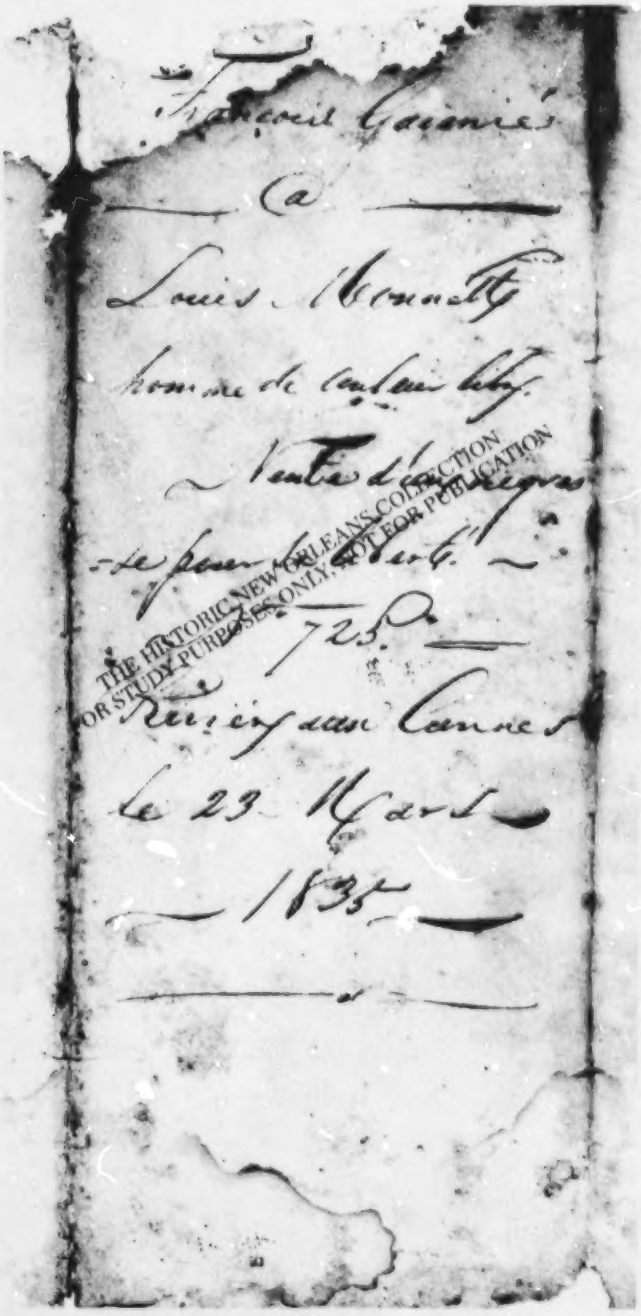

François Gaignié

à

Louis Bernard

homme de couleur libre

Vente d'un nègre

de passeport

725

Reçu ici dans Cannes

le 23 Mars

1835

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Etat de la Louisiane - paroisse des Natchitoches. —

— Aujourd'hui cinquante troisième jour du mois de mars de l'année de Notre Seigneur mil huit huit cent trente cinq et de l'Indépendance des Etats-Unis la cinquante neuvième année. Pardevant Clément de Laroche, notaire public soussigné, dument commissionné et assermenté pour et en la paroisse des Natchitoches, Etat de la Louisiane, résidant à l'endroit nommé Kiowa aux Cannes dans la même paroisse, y tenant son étude, a personnellement comparu le sieur François Grimmé, domicilié dans la paroisse des Natchitoches, lequel a déclaré et déclare par ces présentes en présence de Pierre Blanchard et Joseph Martineau témoins compétents, domiciliés et susdignés, avec lesquels il vend, cède, quitte, transporte et abandonne dès ce moment, pour et en considération de la somme comptée et stipulée, et exempte de tous troubles, dettes hypothèques et tous autres empêchements généralement quelconques, à Louis Monnette homme de couleur libre, domicilié dans la paroisse des Natchitoches, ici présent et acceptant, une négresse nommée Marie Louise âgée de cinquante ans, sa mère, que lui, le dit Louis Monnette, achette, s'oblige avec ces présentes pour lui ses heritiers ayant cause de la garantir libre, conformément aux lois de cet Etat. — La présente vente est

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passée par ces présentes pour et en considération
d'une somme de soixante quatre et quatre
vingt dix sept livres tournois dont ledit sieur
reconnoit avoir reçu celle de cinquante huit livres
payables dans tout le courant d'avril mil huit cent
trente cinq, trois cent quatre vingt dix sept livres
et un tiers payables dans tout le courant de
mars mil huit cent trente six, et trois cent dix
huit livres payables dans tout le courant de mars mil
huit cent trente sept, et le tout en trois billets
solidaires par Louis Monnet fils [illegible]
Louis Métayer [illegible] François Gaillard
en foi de quoi et après lecture des présentes
ledit sieur Vincent a signé avec
moi, le Dit François Gaillard a déclaré ne
savoir signer de ce interpellé
de ce faire, le Dit Louis Monnet a signé avec
moi, ledit sieur Vincent a déclaré ne savoir
faire sa marque ordinaire en forme d'une croix
de tout ce que dessus j'ai fait mention en
présence des sieurs Olivier Gautier [illegible]
témoins à ce requis et soussignés

Vincent

Jn Pierre Gautier

Paul Carlineau

Pardevant moi

Jacques Gaillard

Louis X Monnet
marque

Clément de Lavie
Notaire public

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